

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL ACTION NO. 1:06cv002-WHA
	)	
VINCENT EDWARD WILLIAMS,	)	
	)	
Defendant.	)	

**ORDER**

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #2), entered on February 23, 2006, and Defendant's Objections (Doc. #3), filed on March 6, 2006.

Upon an independent evaluation and *de novo* review of this case, this court finds as follows:

The court agrees with the Magistrate Judge that the relief sought by the Defendant Williams is appropriate only under 28 U.S.C. § 2255, and that the motion should be construed as a Motion to Vacate, Set Aside, or Correct Sentence Under 28 U.S.C. § 2255. That being the case, the Defendant is required to receive certification from the Eleventh Circuit Court of Appeals authorizing this court's consideration of his motion, which is a successive § 2255 motion.

The court finds the objections to be without merit, and they are hereby overruled. The court adopts the Recommendation of the Magistrate Judge, and it is hereby

ORDERED that the motion is DENIED and this case DISMISSED for failure to obtain the requisite order from the Eleventh Circuit Court of Appeals authorizing this court to consider a successive § 2255 motion.

DONE this 30th day of March, 2006.

/s/ W. Harold Albritton

W. HAROLD ALBRITTON

SENIOR UNITED STATES DISTRICT JUDGE